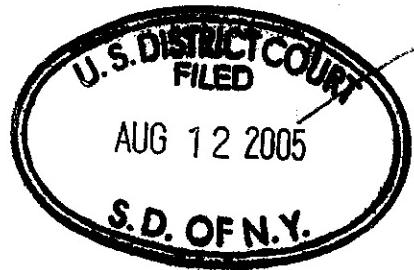


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**ORDER**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: EPHEDRA PRODUCTS  
LIABILITY LITIGATION                           04 MD 1598 (JSR)

PERTAINS TO ALL CASES

**NOTICE OF MOTION FOR ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that the undersigned will move this Court before the Hon. Jed S. Rakoff, United States District Judge, at the United States Courthouse, Courtroom 14B, 500 Pearl Street, New York, New York, for an order pursuant to Local Civil Rule 1.3(c) granting admission pro hac vice to the attorney listed below so that he may represent defendants in this Multidistrict Litigation. In support of the motion, the undersigned states as follows:

1. I am Defense Liaison Counsel and am one of the Defense Coordinating Counsel appointed by this Court in Case Management Order No. 1, as amended by Stipulation and Order dated May 10, 2004. I am a member of the firm of Bingham McCutchen LLP, 399 Park Avenue, New York, New York, and am a member in good standing of the Bars of the State of New York and the United States District Court for the Southern District of New York.

2. Although Rule 1.4 of the Judicial Panel on Multidistrict Litigation provides that “[a]ny attorney of record in any action transferred under Section 1407 may continue to represent his or her client in any district court of the United States to which such action is transferred,” and that “[p]arties to any action transferred under Section 1407 are not required to obtain local

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counsel in the district to which such action is transferred," I understand that to facilitate the acquisition of a registration number which will enable the subject attorney to access this Court's Electronic Filing (ECF) system, the Court has requested that out-of-state attorneys apply for *pro hac vice* admission to this Court.

Attorney to be Admitted *Pro Hac Vice*

3. I am pleased to move the admission *pro hac vice* of the following attorney:
- **Willie Ben Daw, III, Daw & Ray, Hibernia Bank Plaza, 5718 Westheimer, Houston, Texas 77057** a member in good standing of the Bar of the United States District Court, Southern District of Texas, who seeks to appear on behalf of defendant Wal-Mart Stores, Inc. (A copy of a Certificate of Good Standing from the Clerk of the District Court of the Southern District of Texas is annexed hereto as Exhibit A.)

4. Given the routine nature of this application, I respectfully request that this Court permit this application without an accompanying memorandum of law.

WHEREFORE, for all of the reasons set forth above, I respectfully request that the application for the *pro hac vice* admission of Mr. Daw be granted in all respects.

Dated: New York, New York  
August 9, 2005

Bingham McCutchen LLP

By: Peter Negerley  
Peter C. Neger (RN-2737)  
399 Park Avenue  
New York, NY 10022-4689  
(212) 705-7000  
*Defense Liaison Counsel*

TO: Janet G. Abaray, Esq.  
Plaintiff's Liaison Counsel

→ SO ORDERED  
Jef Raff  
JSD

8-10-05

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